

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TRUSTEES of the MASON TENDERS	:
DISTRICT COUNCIL WELFARE FUND,	:
PENSION FUND, ANNUITY FUND and	:
TRAINING PROGRAM FUND,	:
	:
Plaintiffs,	:
	:
- against -	:
	:
SAFEWAY ENVIRONMENTAL CORP.,	:
	:
Defendant.	:
-----X	

08 Civ. 2137 (WHP)

DISCOVERY PLAN REPORT

Pursuant to Fed. R. Civ. P. 26(f), plaintiffs and defendant have conferred and jointly submit the following discovery plan report to the Court for its approval.

1. Plaintiffs and Defendant will exchange the initial disclosures required under Fed. R. Civ. P. 26(a)(1) on or before July 7, 2008.

2. Except for good cause shown, no additional parties may be joined and no pleading may be amended after July 30, 2008.

3. Except for good cause shown, all discovery shall be completed by October 17, 2008.

4. The parties shall conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by consent of the parties without application to the Court, provided all fact discovery is completed by the date set forth in paragraph 3 above:

- a. Initial requests for production of documents to be served by July 18, 2008.
- b. Interrogatories to be served by July 18, 2008.
- c. Depositions to be completed by September 5, 2008.

- d. Requests to Admit to be served no later than September 15, 2008.
 - e. The parties shall meet and confer on a schedule for expert disclosures, if any, including reports, production of underlying documents and depositions, by July 25, 2008.
5. All motions and applications shall be governed by the Court's Individual Practices, including pre-motion conference requirements.
6. A Joint Pretrial Order shall be filed by November 17, 2008, or within thirty (30) days of the Court's decision on any dispositive motion, whichever occurs later.
7. The parties reserve the right to modify the discovery plan or extend the dates herein by application to the Court, upon good cause shown.

Dated: New York, New York
June 11, 2008

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